

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOE L. WELCH,

Defendant.

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8:15CR11

ORDER

This matter is before the court on the joint oral motion to continue trial by counsel for the United States and counsel for defendant Joe L. Welch (Welch) during a telephone conference with the undersigned magistrate judge on December 16, 2015. Trial of this matter was scheduled for January 4, 2016. Welch's counsel represents Welch will file an affidavit whereby Welch consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The parties' joint oral motion to continue trial is granted.
2. Trial of this matter is re-scheduled for **April 4, 2016**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **December 16, 2015, and April 4, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 16th day of December, 2015.

BY THE COURT:
s/ Thomas D. Thalken

United States Magistrate Judge